

Minutes of Executive Session – Purpose 1  
August 14, 2019 @ 12:40 AM

Commissioners Present: Chairman Philip Y. Brown, Commissioners Timothy Dooling, Kate Fitzpatrick, Kathleen Fallon, James Machado, and Jennifer Sullivan.

PERAC Staff Present: Executive Director John Parsons, Deputy Executive Director of Policy Joseph Martin, Deputy Executive Director of Administration Caroline Carcia, General Counsel Judith Corrigan, Compliance Director Thomas O'Donnell, Compliance/Investment Data Coordinator Cheryl Johnson, and Senior Executive Assistant Kim Boisvert.

Mr. Parsons summarized the responsibilities for board members under Chapter 176 regarding the filings of the Statement of Financial Interests (SFIs). If a member does not comply with Chapter 176, the Commission is to hear the matter and vote for the respective member's removal.

Ms. Corrigan explained that Ms. Braccia, former member of the Greenfield Retirement System, was removed by the Commission on September 12, 2018 for her failure to file her 2017 SFI. PERAC subsequently received a notice from the Barnstable County Retirement Boards that Ms. Braccia was appointed as the Chairperson. The notification was signed by Ms. Braccia on June 27, 2019. PERAC notified Ms. Braccia that she is unable to serve on any retirement board due to the Commission's vote on September 12, 2018. Ms. Braccia filed her 2017 and 2018 SFI on July 5, 2019.

Ms. Braccia explained that she simply could not file at that time as she was engrossed with many issues in her personal life which included harassment, health issues, dismissal from her job, selling her home, and moving. She distributed several documents to bolster her claims and apologized for not filing her SFI.

Ms. Corrigan read Section 20C explaining PERAC's authority in this type of matter. She then reported the specifics of when PERAC notified Ms. Braccia and how she was notified. Ms. Braccia signed a certified letter on August 13, 2018 which indicates that she received PERAC's notice concerning the Commission meeting on September 12, 2018 and its intent to go into Executive Session regarding her potential removal as a retirement board member.

The Commission listened to what Ms. Braccia had to say. Ms. Braccia was asked if she signed for the certified letter and she said yes, although she could not recall opening the letter.

There was a discussion about how clear the law is in this situation. Ms. Corrigan reiterated that the only issue was whether Ms. Braccia had received notice.

The Commission suggested that Ms. Braccia could file special legislation. The Commission inquired what the impact of her current job would be if she could not serve on the board.

Ms. Braccia stated that financially it would be \$5,000 annually and she is not sure what the full impact would be at this time. She also reported that currently there is someone covering the position on the Board.

Mr. O'Donnell stated that Ms. Braccia had met her responsibilities with the education and filing her SFI for the years 2013 through 2016 while serving in Greenfield.

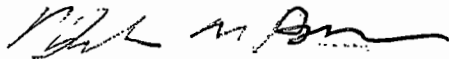
Commissioner Sullivan stated that PERAC did reach out with emails which could be undelivered. In fairness, she said, once a board member has left the board he/she may not realize that an SFI is still required to be filed for that last year but the statute does not appear to give the Commission any options.

The Commission stated that this is a harsh situation and took no action on the matter. They also asked the staff to research their prior actions in similar circumstances.

Commissioner Sullivan left the meeting at 1:00 PM due to another commitment.

A roll call vote was taken to adjourn the Executive Session and reconvene in open session at 1:10 PM and was recorded as follows: Chairman Philip Brown YES, Commissioners Timothy Dooling YES, Kate Fitzpatrick YES, Kathleen Fallon YES, and James Machado YES, and the motion was adopted.

Approved:



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Philip Y. Brown, Chairman  
Public Employee Retirement Administration Commission